

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
)
 COUNTY OF FAIRFIELD) CIVIL ACTION NO.: 2018-CP-20-_____
)
 BRANDON PEAKE,)
)
 Plaintiff,)
)
 v.)
)
 SUZUKI MOTOR CORPORATION AND)
 SUZUKI MOTOR CORPORATION OF)
 AMERICA,)
)
 Defendants.)

SUMMONS
(Jury Trial Demanded)

TO THE DEFENDANTS ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, Peters, Murdaugh, Parker, Eltzroth & Detrick, P.A., at 101 Mulberry Street East, Post Office Box 457, Hampton, SC 29924, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

PETERS, MURDAUGH, PARKER, ELTZROTH
 & DETRICK, P.A.

BY: _____ /s/ John E. Parker
 John E. Parker
 William F. Barnes, III
 101 Mulberry Street East
 Post Office Box 457
 Hampton, SC 29924
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ATTORNEYS FOR PLAINTIFF

December 17, 2018
 Hampton, South Carolina

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 Defendants.)

COMPLAINT
(Jury Trial Demanded)

The Plaintiff alleges:

For a First Cause of Action

1. The defendants are corporations subject to the jurisdiction of the court pursuant to §36-2-802 and §36-2-803 South Carolina Code of Laws (1976). The defendants both sold a Suzuki Quadranner 4WD which caused the below described injuries to the plaintiff.

2. Venue of the case is proper in Fairfield County because the most substantial part of the cause of action occurred in Fairfield County.

3. On March 30, 2016, the plaintiff was operating a Suzuki Quadranner 4WD four wheeler near his home when the steering column on the four wheeler broke causing him to be thrown from the four wheeler resulting in him suffering serious and severe permanent injuries.

4. The plaintiff's injuries were proximally caused by the following acts of negligence and recklessness by the defendants:

- a) In designing and manufacturing a defective steering column;
- b) In manufacturing a steering column with defective and improper materials;
- c) In failing to warn;
- d) In failing to instruct;

5. As a result of the defendants wrongful acts, the plaintiff suffered serious and severe injuries to his head and other parts of his body which resulted in him incurring substantial present and future medical bills; the plaintiff lost income and will in the future lose income; the plaintiff has suffered severe pain and discomfort from his injuries and he will suffer from these injuries for the remainder of his life, all to his actual and punitive damages.

For a Second Cause of Action

6. The allegations of the First Cause of Action are incorporated as if rewritten.
7. The sale of the defective and unreasonably dangerous four wheeler, manufactured and sold by the defendants, breached implied warranties. The defendants are in the business of selling four wheelers.
8. As a proximate cause of the defendants' breach of implied warranties, the plaintiff suffered the above described injuries.

For a Third Cause of Action

9. The allegations of the First Cause of Action are incorporated as if rewritten.
10. The defendants sold a product, a four wheeler, which was in a defective condition unreasonably dangerous to the user and they are liable to the plaintiff for the injuries to the plaintiff. The defendants are engaged in the business of manufacturing and selling four wheelers, and the plaintiff's four wheeler when he was injured was in substantially the same condition it was in when sold by the defendants.
11. The defendants are strictly liable to the plaintiff.

WHEREFORE, Plaintiff prays for judgment against the defendants for actual damages, punitive damages and the costs of this action.

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& DETRICK, P.A.

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